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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,469	09/30/2003	Yuichiro Mizumachi	NIP-252-02	1995

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MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 DIAGONAL ROAD
SUITE 370
ALEXANDRIA, VA 22314

EXAMINER

HAIDER, FAWAAD

ART UNIT	PAPER NUMBER
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3627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/673,469	MIZUMACHI ET AL.	
	Examiner	Art Unit	
	Fawaad Haider	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/08/2006 has been entered.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cornett (5,216,612), in view of Nulman (6,456,894) and further in view of Shavit (4,799,156).

Regarding **claim 6**, Cornett discloses a system for supplying parts spare parts used for management and maintenance of a power plant to users, comprising: a server (1) connected to user terminals (see also column 10, lines 8-10, wherein "one or more personal computers [terminals] may also be used for one or more subsystems of the entire maintenance system) and manufacturer terminals (15A-15N); and a database (8)

Art Unit: 3627

having accumulated information pertaining to parts for management and maintenance of the power plant (information of periods of parts delivered; see column 14, lines 52-58), including information on time period needed until parts are delivered (via the planning bill that is used to schedule the time-phased parts delivery); information of necessary quantity of parts (via the spares inventory management subsystem 6 is designed to operate with a spares inventory file 8 to manage ordering and inventory of spare parts) and information of degrees of significance of each of parts sorted in significance degree as spare parts for employment in the power plant, to replace power plant parts whose loss of function in the power plant would result in stopping of the power plant (as illustrated via the maintenance schedule management subsystem reassigning corresponding maintenance times for an identified parts based upon hierarchical listing of parts in an electronically stored parts manual, so that lost production time for each production line is reduced. A revised schedule of planned production, based on the reassigned maintenance times, is then generated and communicated back to the master schedule file in the computer integrated manufacturing system. Accordingly, the plurality of production lines is controlled based upon the revised schedule of planned production to allow for maintenance activities while maximizing production).

Further, the server (1) is provided with a function of outputting parts information stored in said database (8) to said user terminals (see column 9, lines 34-55) by arraying for display the information of parts (via the parts manual file that displays multi-level parts listings); a function of renewing information of parts selected by the users to

Art Unit: 3627

be selected parts information, in said parts information stored in said database (8); and a function of outputting said selected parts information as information of parts that said users have placed orders for with a manufacturer of said power plant to said manufacturer terminals (15); and **[claim 7]** said server (1) is connected to a terminal of a cooperating manufacturer (16A-16N).

However, Cornett fails to explicitly disclose a database accumulating information on unit price of parts, and information of subtotal price of each part.

Nulman discloses the concept of a power management system and a spare parts inventory and scheduling system. Further, Nulman disclose a computation environment, for example including a data processor, is employed to perform calculations to support data processing of SPC environment. Nulman also discloses the concept of minimizing the unit cost of semiconductor devices, which are produced. The novel spare parts inventory control and scheduling system is adapted for managing spare parts on a JIT (just-in-time) basis, i.e. parts are delivered by the supplier when they are expected to be needed, and no sooner. JIT inventory control generally results in reduced wafer production cost because spare parts purchases are made on an as needed basis, and the need for spare parts storage space is minimized.

From this teaching of Nulman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the maintenance system of Cornett et al. to include the spare parts inventory control taught by Nulman in order to minimize cost and/or reduce production cost.

However, both Cornett and Nulman fail to explicitly disclose a function of transmitting information of the parts that said manufacturer received the orders from said user as information of preliminary showing of orders from said manufacturer to a cooperating manufacture of said manufacturer. Shavit discloses the disclosure of information to multiple manufacturers (see col. 6, lines 19-36). From this teaching of Shavit, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the maintenance systems of Cornett and Nulman to include the showing of orders to multiple manufacturers in order to process transactions between a plurality of sellers, buyers, and providers.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cornett in view of Nulman, and further in view of Johnson (5,712,989).

The Cornett and Nulman combination discloses all the claimed elements as set forth above for claims 6 and 7, but fails to explicitly disclose the use of one-way communication.

Johnson teaches that it is old and well known in the art to utilize one-way communication between business partners in a procurement system (see column 1, lines 33-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination with Johnson, because one-way communication allows more secure communication than two-way communication.

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cornett in view of Nulman, and further in view of Kou (6,363,365).

The Cornett and Nulman combination discloses all the claimed elements as set forth above for claims 6 and 7, but fails to explicitly disclose the use of limited access capability in a procurement system.

Kou teaches the use of limited access capability in a procurement system (see column 1, lines 33-36).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination with limited access capability as taught by Kou, because providing limited access capability increases information security and integrity.

Response to Arguments

2. Applicant's arguments with respect to claims 6-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fawaad Haider whose telephone number is 571-272-7178. The examiner can normally be reached on Monday-Friday 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fawaad Haider
Examiner
Art Unit 3627

FIH

Michael Cuff 3/30/07

**MICHAEL CUFF
PRIMARY EXAMINER**